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**MEMORANDUM**

TO: Planning Commission Members  
Mayor Tumlin and City Council Members  
William F. Bruton, Jr., City Manager

FROM: Rusty Roth, Director of Development Services  
Shelby Little, Planning & Zoning Manager

SUBJECT: Draft regulations for the storage of portable sanitation units

DATE: December 15, 2021

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**BACKGROUND:** Multiple city departments have received complaints about the storage of portable sanitation units/chemical toilets on commercial and residential properties in the City.

**ISSUE:** The Zoning Ordinance currently has regulations about outdoor storage in most of the twenty nine (29) zoning categories. However, there is no language that would prohibit or limit the storage of portable sanitation units, which would have a substantial negative impact on the surrounding area aesthetically and environmentally.

Attached is a draft strikethrough of proposed regulations for storing portable sanitation units. Below is a summary of the proposed changes:

| Zoning District                  | Existing Regulations regarding Outdoor Storage  | Proposed Regulations                             |
|----------------------------------|---|--|
| R-1, R-2, R-3, R-4               | Allows storage of firewood and lawn furnishings only  | No change  |
| RM-8, RM-10, RM-12, RHR          | Allows outdoor storage associated with non-residential uses to be stored in the side or rear yard if fenced | Prohibits storage of portable sanitation units   |
| NRC, CRC, RRC, PCD, MXD, OS, PID | Allows outdoor storage in the side or rear yard if fenced   | Prohibits storage of portable sanitation units   |
| CBD                              | Allows outdoor storage if fenced  | Prohibits storage of portable sanitation units   |
| LI, HI                           | Allows outdoor storage if fenced  | Requires Special Land Use Permit by City Council |
| RRX                              | None  | Prohibits storage of portable sanitation units   |

**RECOMMENDATION:** The Planning & Zoning staff is seeking direction from Planning Commission and City Council regarding this code revision.

AN ORDINANCE

AMENDING, the Comprehensive Development Code of the City of Marietta.

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:

**Section 1:** Division 708.10, RM-8, Multi-Family Residential, Paragraph G, is hereby amended as follows:

**708.10 RM-8, Multi-Family Residential**

G. Use Limitations.

1. All outside storage associated with non-residential uses must be stored in a side or rear yard and screened from all streets and adjacent properties by an opaque fence no less than six feet in height. The Director may approve the substitution of plantings for the required fence. Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited. Unenclosed carports and front porches may not be used for storing any materials other than firewood or recyclable materials within a city approved container.
2. Buildings must be separated by at least 60 feet unless a side face is involved in which case the buildings shall be separated by no less than 40 feet.
3. No building may exceed 250 feet in length.
4. No unit or building may have direct access to an arterial or collector street outside the development.
5. A recreation area must be provided at a ratio of one acre per 50 units (or a proportional percentage thereof) with a minimum of 10,000 sq. ft. provided. Such area may serve as open space and/or developed for recreational purposes such as pools or basketball and tennis courts. Non-passive recreational areas must be located in such a manner that at least 75% of the units are within 300 feet, as measured from building footprints.
6. Common on-site parking areas shall be located not more than 200 feet from the dwelling units served. No more than 25% of the required parking may be provided within the front yard or setback.
7. When over 50% of the required parking is provided underground, a density bonus of two dwelling units per acre shall be allowed.
8. Each dwelling unit may contain a maximum of 4 domesticated animals weighing 3 lb. or more. This standard shall not apply to animals less than six months of age. No livestock are permitted.
9. Apartment complexes which convert to condominium use must file a new final plat and meet all requirements of the Public Works and Fire Departments.

**Section 2:** Division 708.11, RM-10, Multi-Family Residential, Paragraph G, is hereby amended as follows:

**708.11 RM-10, Multi-Family Residential**

G. Use Limitations.

1. All outside storage associated with non-residential uses must be stored in a side or rear yard and screened from all streets and adjacent properties by an opaque fence no less than six feet in height. The Director may approve the substitution of plantings for the required fence. Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste

**is prohibited.** Unenclosed carports and front porches may not be used for storing any materials other than firewood or recyclable materials within a city approved container.

2. Buildings must be separated by at least 60 feet unless a side face is involved in which case the buildings shall be separated by no less than 40 feet.
3. No building may exceed 250 feet in length.
4. No unit or building may have direct access to an arterial or collector street outside the development.
5. A recreation area must be provided at a ratio of one acre per 50 units (or a proportional percentage thereof) with a minimum of 10,000 sq. ft. provided. Such area may serve as open space and/or developed for recreational purposes such as pools or basketball and tennis courts. Non-passive recreational areas must be located in such a manner that at least 75% of the units are within 300 feet, as measured from building footprints.
6. Common on-site parking areas shall be located not more than 200 feet from the dwelling units served. No more than 25% of the required parking may be provided within the front yard or setback.
7. When over 50% of the required parking is provided underground, a density bonus of two dwelling units per acre shall be allowed.
8. Each dwelling unit may contain a maximum of 4 domesticated animals weighing 3 lb. or more. This standard shall not apply to animals less than six months of age. No livestock are permitted.
9. Apartment complexes which convert to condominium use must file a new final plat and meet all requirements of the Public Works and Fire Departments.

**Section 3:** Division 708.12, RM-12, Multi-Family Residential, Paragraph G, is hereby amended as follows:

#### **708.12 RM-12, Multi-Family Residential**

##### **G. Use Limitations.**

1. All outside storage associated with non-residential uses must be stored in a side or rear yard and screened from all streets and adjacent properties by an opaque fence no less than six feet in height. The Director may approve the substitution of plantings for the required fence. **Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited.** Unenclosed carports and front porches may not be used for storing any materials other than firewood or recyclable materials within a city approved container.
2. Buildings must be separated by at least 60 feet unless a side face is involved in which case the buildings shall be separated by no less than 40 feet.
3. No building may exceed 250 feet in length.
4. No unit or building may have direct access to an arterial or collector street outside the development.
5. A recreation area must be provided at a ratio of one acre per 50 units (or a proportional percentage thereof) with a minimum of 10,000 sq. ft. provided. Such area may serve as open space and/or developed for recreational purposes such as pools or basketball and tennis courts. Non-passive recreational areas must be located in such a manner that at least 75% of the units are within 300 feet, as measured from building footprints.
6. Common on-site parking areas shall be located not more than 200 feet from the dwelling units served. No more than 25% of the required parking may be provided within the front yard or setback.
7. When over 50% of the required parking is provided underground, a density bonus of two dwelling units per acre shall be allowed.
8. Each dwelling unit may contain a maximum of 4 domesticated animals weighing 3 lb. or more. This standard shall not apply to animals less than six months of age. No livestock are permitted.
9. Apartment complexes which convert to condominium use must file a new final plat and meet all requirements of the Public Works and Fire Departments.

**Section 4:** Division 708.13, RHR, Residential High-Rise, Paragraph G, is hereby amended as follows:

### **708.13 RHR, Residential High-Rise**

#### **G. Use Limitations.**

1. All outside storage associated with non-residential uses must be stored in a side or rear yard and screened from all streets and adjacent properties by an opaque fence no less than six feet in height. The Director may approve the substitution of plantings for the required fence. *Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited.* Unenclosed carports and front porches may not be used for storing any materials other than firewood or recyclable materials within a city approved container.
2. When over 75% of the required parking is provided underground, a density bonus of 10 dwelling units per acre shall be allowed.
3. Each dwelling unit may contain a maximum of 4 domesticated animals weighing 3 lb. or more. This standard shall not apply to animals less than six months of age. No livestock are permitted.

**Section 5:** Division 708.15, NRC, Neighborhood Retail Commercial, Paragraph G, is hereby amended as follows:

### **708.15 NRC, Neighborhood Retail Commercial**

#### **G. Use Limitations.**

1. All outside storage areas must be located in the rear yard and must be screened by a solid fence or wall no less than six feet in height. *Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited.*
2. No manufacturing processes are permitted.
3. Building design and materials may be of the developer's choosing; however:
  - a. Any façade of a building where any portion of that façade is visible from a roadway shall be constructed with a mixture of brick, stone, rock, wood, glass, cementitious siding, aluminum composite material (ACM) panels, or split-faced concrete block (defined as a concrete building unit which appears to have been hand-chiseled (or "split") to give it a textured look).
  - b. The Board of Zoning Appeals shall not issue and are not granted the authority to issue variances to any of the regulations relating to building design and materials, as contained in this paragraph; all such variance requests must be submitted to City Council for consideration.

**Section 6:** Division 708.16, CRC, Community Retail Commercial, paragraph G, is hereby amended as follows:

### **708.16 CRC, Community Retail Commercial**

#### **G. Use Limitations.**

1. All outside storage areas must be located in the side or rear yard and must be screened by a solid fence no less than six feet in height. Limited to 25% of total lot. *Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited.*
2. No manufacturing processes are permitted.
3. Building design and materials may be of the developer's choosing; however:
  - a. Any façade of a building where any portion of that façade is visible from a roadway shall be constructed with a mixture of brick, stone, rock, wood, glass, cementitious siding, aluminum composite material (ACM) panels, or split-faced concrete block (defined as a concrete building unit which appears to have been hand-chiseled (or "split") to give it a textured look).

- b. The Board of Zoning Appeals shall not issue and are not granted the authority to issue variances to any of the regulations relating to building design and materials, as contained in this paragraph; all such variance requests must be submitted to City Council for consideration.

**Section 7:** Division 708.17, RRC, Regional Retail Commercial, paragraph G, is hereby amended as follows:

**708.17 RRC, Regional Retail Commercial**

**G. Use Limitations.**

1. All outside storage areas must be located in the rear yard and must be screened by a solid fence or wall no less than six feet in height. A maximum of 25% of the total lot area may be used for such purposes. **Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited.**
2. No manufacturing processes are permitted.
3. Building design and materials may be of the developer's choosing; however:
  - a. Any façade of a building where any portion of that façade is visible from a roadway shall be constructed with a mixture of brick, stone, rock, wood, glass, cementitious siding, aluminum composite material (ACM) panels, or split-faced concrete block (defined as a concrete building unit which appears to have been hand-chiseled (or "split") to give it a textured look).
  - b. The Board of Zoning Appeals shall not issue and are not granted the authority to issue variances to any of the regulations relating to building design and materials, as contained in this paragraph; all such variance requests must be submitted to City Council for consideration.

**Section 8:** Division 708.18, CBD, Central Business District, paragraph G, is hereby amended as follows:

**708.18 CBD, Central Business District**

**G. Use Limitations.**

1. All outside storage areas must be screened by a solid fence no less than six feet in height. **Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited.**
2. Building design and materials for structures located within the historic district as defined must be approved by the Marietta Historic Board of Review (see standards set forth in Article 7-8-8).
3. Building design and materials for structures located outside of the historic district may be of the developer's choosing; however:
  - a. Any façade of a building where any portion of that façade is visible from a roadway shall be constructed with a mixture of brick, stone, rock, wood, glass, cementitious siding, aluminum composite material (ACM) panels, or split-faced concrete block (defined as a concrete building unit which appears to have been hand-chiseled (or "split") to give it a textured look).
  - b. The Board of Zoning Appeals shall not issue and are not granted the authority to issue variances to any of the regulations relating to building design and materials, as contained in this paragraph; all such variance requests must be submitted to City Council for consideration.
4. For any new development or construction in this district, parking is required as per Division 716 of this article for any structure except as stated herein. The number of spaces required will be calculated on the square footage occupied by the business exempting up to the first 15,000 square feet on street level. Notwithstanding anything to the contrary contained herein, parking for hotels and motels shall be calculated on the full square footage. Exempt are those structures on the blocks directly facing the Marietta City Square. Parking requirements may be met on the same parcel or

on other parcels in the CBD that are designated and dedicated with sufficient parking to meet the requirements of the structure.

**Section 9:** Division 708.19, PCD, Planned Commercial Development, paragraph G, is hereby amended as follows:

#### **708.19 PCD, Planned Commercial Development**

##### G. Use Limitations.

All outside storage areas must be located in the rear yard and must be screened by a solid fence or wall no less than six feet in height. **Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited.**

**Section 10:** Division 708.20, MXD, Mixed Use Development, paragraph G, is hereby amended as follows:

#### **708.20 MXD, Mixed Use Development**

##### G. Use Limitations.

All outside storage areas must be located in the rear yard and must be screened by a solid fence or wall no less than six feet in height. **Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited.**

**Section 11:** Division 708.24, OS, Office Services, paragraph G, is hereby amended as follows:

#### **708.24 OS, Office Services**

##### G. Use Limitations.

1. No uses which emit odors, fumes or sounds are permitted.
2. All outside storage areas must be located in the rear yard and must be screened a solid fence or wall no less than six feet in height. **Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited.**
3. No manufacturing processes are permitted.
4. Building design and materials may be of the developer's choosing; however:
  - a. Any façade of a building where any portion of that façade is visible from a roadway shall be constructed with a mixture of brick, stone, rock, wood, glass, cementitious siding, aluminum composite material (ACM) panels, or split-faced concrete block (defined as a concrete building unit which appears to have been hand-chiseled (or "split") to give it a textured look).
  - b. The Board of Zoning Appeals shall not issue and are not granted the authority to issue variances to any of the regulations relating to building design and materials, as contained in this paragraph; all such variance requests must be submitted to City Council for consideration.

**Section 12:** Division 708.26, LI, Light Industrial, paragraph E, is hereby amended as follows:

#### **708.26 LI, Light Industrial**

##### E. Special Uses Permitted by City Council.

1. Adult entertainment (see standards set forth in Section 8-20-140).
2. Automobile storage yards and wrecker services for damaged or confiscated vehicles.
  - a) Such use shall not be permitted within 50 feet of any property used for a school, park, playground or hospital.



- b) Such use shall not be established on a lot which is adjacent to or directly across the street from any single family residential district.
- c) All outdoor storage must be to the rear of the principal structure and enclosed by an opaque fence no less than 8 feet in height.
- 3. Indoor BB/air rifle shooting ranges operated by educational, civic or non-profit organizations (see standards set forth in Section 712.01).
  - a) All activities must take place in a wholly enclosed building with walls constructed of brick, concrete or masonry.
  - b) No weapons other than BB/ air rifles with a caliber of .177 or less, and a muzzle velocity of no more than 450 feet per second shall be allowed.
- 4. **Outdoor storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste.**
  - a) **Such use shall be enclosed by an opaque wall or fence no less than 6 feet in height which provides continuous visual screening.**
  - b) **Units shall be adequately covered to prevent any wastewater infiltration into the ground or storm drains and must comply with the current stormwater prevention, illicit discharge, and illegal connection ordinances.**
  - c) **The washing of units or any related equipment must be performed in a wash bay designed to capture and pretreat wastewater before being discharged into the sanitary sewer and must comply with the current plumbing code.**
  - d) **Such use shall be at least 50 feet from any property zoned or used for residential purposes.**
- 5. Recovered materials (recycling) processing facility.
- 6. Scrap metal, iron, or steel collection/recovery.
- 7. Telecommunications facilities (see standards set forth in Section 712.07).
- 8. Truck terminals. Minimum 5 acres. All structures shall be located and activities conducted (including parking) at least 300 feet from any property zoned for residential purposes.

**Section 13:** Division 708.27, HI, Heavy Industrial, paragraph E, is hereby amended as follows:

#### **708.27 HI, Heavy Industrial**

##### **E. Special Uses Permitted by City Council.**

- 1. Adult entertainment (see standards set forth in Section 8-20-140).
- 2. Asphalt or concrete plants.
- 3. Automobile salvaging and wrecking yards.
- 4. Automobile storage yards and wrecker services for damaged or confiscated vehicles.
  - a) Such use shall not be permitted within 50 feet of any property used for a school, park, playground or hospital.
  - b) Such use shall not be established on a lot which is adjacent to or directly across the street from any single family residential district.
  - c) All outdoor storage must be to the rear of the principal structure and enclosed by an opaque fence no less than 8 feet in height.
- 5. Chipping, grinding, or reduction of materials, stumps, trees, limbs, construction debris, glass, concrete, asphalt, rock, etc.
- 6. Composting facilities.
- 7. Indoor BB/air rifle shooting ranges operated by educational, civic or non-profit organizations (see standards set forth in Section 712.01).
  - a) All activities must take place in a wholly enclosed building with walls constructed of brick, concrete or masonry.
  - b) No weapons other than BB/ air rifles with a caliber of .177 or less, and a muzzle velocity of no more than 450 feet per second shall be allowed.

8. Petroleum and petrochemical refining and storage. All structures (excluding offices) shall be located at least 100 feet from any property line and 200 feet from any residentially zoned or used property.
9. Private landfills.
10. Mining (quarries).
  - a) The extraction of dirt, sand or soil shall not be established within 500 feet of a residential use or 200 feet of any other use.
  - b) The extraction of rock and gravel shall not be established within 4,000 feet of a residential use or 2,000 feet of any other use.
  - c) The removal area shall be enclosed by a fence no less than 8 feet in height to prevent access by the general public. This fence shall be locked during non-business hours.
11. *Outdoor storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste.*
  - a) *Such use shall be enclosed by an opaque wall or fence no less than 6 feet in height which provides continuous visual screening.*
  - b) *Units shall be adequately covered to prevent any wastewater infiltration into the ground or storm drains and must comply with the current stormwater prevention, illicit discharge, and illegal connection ordinances.*
  - c) *The washing of units or any related equipment must be performed in a wash bay designed to capture and pretreat wastewater before being discharged into the sanitary sewer and must comply with the current plumbing code.*
  - d) *Such use shall be at least 50 feet from any property zoned or used for residential purposes.*
12. Recovered materials (recycling) processing facilities.
13. Scrap metal, iron or steel collection/recovery.
14. Scrap yards or junk yards.
15. Telecommunications facilities (see standards set forth in Section 712.07).
16. Trash or garbage handling, hauling or disposal facilities or any use associated with these uses.
17. Truck stops/refueling stations.
18. Truck terminals. Minimum 5 acres. All structures shall be located and activities conducted (including parking) at least 300 feet from any property zoned for residential purposes.
19. Used or discarded tire storage/disposal facilities.
20. Waste materials handling and recovery facilities. The following standards shall apply to all new facilities and the expansion of existing waste transfer stations.
  - a) Minimum 5 acre lot size.
  - b) All structures shall be located at least 1500 feet from residential zoning districts and at least 1000 feet from commercial zoning districts.
  - c) A landscaped strip no less than 10 feet wide shall be required around all property lines which do not abut properties zoned for industrial use. Such strip shall include one tree spaced evenly each 20 linear feet.
  - d) A solid fence or wall no less than six feet in height shall be erected and maintained along all property lines except those abutting public right-of-ways. Said fence shall be located behind the required landscape strip.
  - e) Parking areas for trucks and trailers shall be located at least 50 feet from any property line and 750 feet from any residentially zoned property. All trucks and trailers containing stored waste materials shall park at least 100 feet from any property line and 1500 feet from any residentially zoned property.
  - f) Vehicular access shall only be from a collector street unless otherwise approved by City Council.
  - g) Stored materials shall be contained in such a manner as to prevent the blowing of any materials onto any surrounding property or roadway.



- h) No such use shall be established within 500 feet of Cobb Parkway, Roswell Street, SR 120 Loop or Powder Springs Street.

**Section 14:** Division 708.28, PID, Planned Industrial Development, paragraph G, is hereby amended as follows:

**708.28 PID, Planned Industrial Development**

G. Use Limitations.

All outside storage areas must be located in the rear yard and must be screened by an opaque fence no less than eight feet in height. **Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited unless explicitly allowed by City Council as part of a general or detailed plan.**

**Section 15:** Division 708.29, RRX, Railroads and railroad crossings, paragraph G, is hereby amended as follows:

**708.29 RRX, Railroads and railroad crossings**

G. Use Limitations.

1. Limitation on signs:
  - a) No general advertising sign or off premises sign, or any digital general advertising sign or digital off premises sign, is allowed.
2. **Storage of portable sanitation units, portable chemical toilets or any other container intended to hold human waste is prohibited.**

**Section 16:** Division 712.01, Special Land Use Permits, TABLE B, is hereby amended as follows:

**TABLE B. SPECIAL LAND USE PERMITS**

| Use   | Zoning District  | Board        |
|---|------------------|--------------|
| Adult Entertainment   | LI, HI, CRC, RRC | City Council |
| Asphalt or Concrete Plants  | HI               | City Council |
| Auto salvaging and wrecking yards.  | HI               | City Council |
| Automobile storage yards and wrecker services for damaged or confiscated vehicles.  | LI, HI           | City Council |
| Chipping, grinding or reduction of materials, stumps, trees, limbs, construction debris, glass, concrete, asphalt, rock, etc. | HI               | City Council |
| Composting facilities   | HI               | City Council |
| Breweries, distilleries, and wineries, including accessory tasting rooms, with production space over 15,000 square feet       | CRC, RRC, CBD    | City Council |
| Drug Abuse Treatment Center (inpatient)   | CRC, LRO, OI     | City Council |

|  |  |                            |
|--|--|----------------------------|
| Extended Stay Hotels   | RRC, OS, OHR   | City Council               |
| Group Homes containing 4 or more residents   | R-1, R-2, R-3, R-4, RA-4, RA-6, RA-8, PRD-SF         | City Council               |
| Halfway House  | OI, RM, RHR  | City Council               |
| Home Occupation, Type B  | R-1, R-2, R-3, R-4, RA-4, RA-6, RA-8, MHP, PRD-SF    | City Council               |
| Indoor BB/Air Rifle Shooting Range   | CRC, RRC, LI HI                                      | City Council               |
| Party Houses   | R-1, R-2, R-3, R-4, RA, MHP, PRD-SF, RM, RHR, PRD-MF | City Council               |
| Petroleum and petrochemical refining and storage   | HI   | City Council               |
| Places of Assembly   | R-1, R-2, R-3, R-4, RA, MHP, PRD-SF, RM, RHR, PRD-MF | City Council               |
| <b><u>Portable Sanitation Unit storage</u></b>   | <b><u>LI, HI</u></b>                                 | <b><u>City Council</u></b> |
| Private landfills  | HI   | City Council               |
| Quarries or mining operations  | HI   | City Council               |
| Recycling Processing Facility  | LI, HI   | City Council               |
| Scrap metal, iron or steel collection/recovery   | LI, HI   | City Council               |
| Scrap Yards or Junk Yards  | LI, HI   | City Council               |
| Shelters for the Homeless  | CRC  | City Council               |
| Telecommunications Infrastructure  | CRC, RRC, CBD, OS, LI, HI                            | City Council               |
| Trash/garbage handling, hauling or disposal facilities or any use associated with these uses | HI   | City Council               |
| Truck stops/refueling stations   | HI   | City Council               |
| Truck terminals  | LI, HI   | City Council               |
| Used or discarded tire storage/disposal facilities   | HI   | City Council               |
| Waste materials handling and recovery facilities   | HI   | City Council               |

**Section 17:** Division 724.02 Definition of terms, is hereby amended to add:

“*Portable sanitation unit*” means any portable structure or fixture used for the collection, temporary storage and chemical treatment of human body wastes that is not connected to an onsite sewage management system or public or community sewerage system. It includes portable chemical toilets and portable hand washing fixtures.

“*Portable chemical toilet*” means a self contained non-flush portable toilet facility containing a solution of water and chemical intended for the collection and temporary storage of human body wastes.

*“Portable hand washing fixture”* means any portable fixture containing fresh water, soap and disposable towels used for cleaning an individual’s hands.

**Section 18:** It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses, and phrases are severable and if any section, paragraph, sentence, clause, or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

**Section 19:** All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

**Section 20:** This Ordinance shall be effective upon signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

**Final Ordinance submitted by:**

\_\_\_\_\_  
**Rusty Roth, AICP**  
**Director of Development Services**

**Approved as to Form:**

\_\_\_\_\_  
**Doug Haynie, City Attorney**

**Approved by City Council:**

**DATE:** January 12, 2022

**APPROVED:**

\_\_\_\_\_  
**R. Steve Tumlin, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Stephanie Guy, City Clerk**